

Sec. 2. Section 232.190, subsection 3, Code 2005, is amended to read as follows:

3. Applications for moneys from the community grant fund shall demonstrate a collaborative effort by all relevant local government and school officials and service agencies with authority, responsibilities, or other interests within the decategorization project area. Proposed plans set forth in the applications shall reflect community-wide consensus in how to remediate community problems related to juvenile crime. Services provided under a grant through this program shall be comprehensive, preventive, community-based, and shall utilize flexible delivery systems and promote youth development. A plan for grant moneys under this section shall be a part of or be consistent with the annual child welfare and juvenile justice decategorization services plan developed by the governance board of the decategorization project area and submitted to the department of human services and Iowa empowerment board pursuant to section 232.188.

Sec. 3. Section 235.7, subsection 2, Code 2005, is amended to read as follows:

2. MEMBERSHIP. The department may authorize the governance boards of decategorization of child welfare and juvenile justice funding ~~decategorization~~ projects established under section 232.188 to appoint the transition committee membership and may utilize the boundaries of decategorization projects to establish the service areas for transition committees. The committee membership may include but is not limited to department of human services staff involved with foster care, child welfare, and adult services, juvenile court services staff, staff involved with county general relief under chapter 251 or 252, or of the central point of coordination process implemented under section 331.440, school district and area education agency staff involved with special education, and a child's court appointed special advocate, guardian ad litem, service providers, and other persons knowledgeable about the child.

Sec. 4. Section 237A.1, subsection 3, paragraph k, subparagraph (2), Code 2005, is amended to read as follows:

(2) A contract approved by a ~~local decategorization~~ governance board of a decategorization of child welfare and juvenile justice funding project created under section 232.188.

Approved May 3, 2005

CHAPTER 96

MEDICAL ASSISTANCE PROGRAM — ASSISTED LIVING SERVICES

H.F. 617

AN ACT relating to inclusion of assisted living services under the medical assistance home and community-based services waiver for the elderly.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. HOME AND COMMUNITY-BASED SERVICES WAIVER FOR THE ELDERLY — INCLUSION OF ASSISTED LIVING SERVICES.

1. The department of human services shall request a waiver from the centers for Medicare and Medicaid services of the United States department of health and human services to add assisted living services to the home and community-based services waiver for the elderly under the medical assistance program.

2. If the department of human services receives approval of the waiver, the department, in consultation with assisted living services providers, shall submit a plan for implementation to the general assembly. However, the waiver shall not be implemented prior to specific action by the general assembly to implement the waiver.

Approved May 3, 2005

CHAPTER 97

PRESCRIPTION DRUG DONATION REPOSITORY

H.F. 724

AN ACT creating a prescription drug donation repository program.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 135M.1 PURPOSE.

The purpose of this chapter is to improve the health of low-income Iowans through a prescription drug donation repository that authorizes medical facilities and pharmacies to redistribute prescription drugs and supplies that would otherwise be destroyed.

Sec. 2. NEW SECTION. 135M.2 DEFINITIONS.

1. "Anti-rejection drug" means a prescription drug that suppresses the immune system to prevent or reverse rejection of a transplanted organ.
2. "Cancer drug" means a prescription drug that is used to treat any of the following:
 - a. Cancer or the side effects of cancer.
 - b. The side effects of any prescription drug that is used to treat cancer or the side effects of cancer.
3. "Controlled substance" means the same as defined in section 155A.3.
4. "Department" means the Iowa department of public health.
5. "Indigent" means a person with an income that is below two hundred percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.
6. "Medical facility" means any of the following:
 - a. A physician's office.
 - b. A hospital.
 - c. A health clinic.
 - d. A nonprofit health clinic which includes a federally qualified health center as defined in 42 U.S.C. § 1396d(l)(2)(B); a rural health clinic as defined in 42 U.S.C. § 1396d(l)(1); and a nonprofit health clinic that provides medical care to patients who are indigent, uninsured, or underinsured.
 - e. A free clinic as defined in section 135.24.
 - f. A charitable organization as defined in section 135.24.
 - g. A nursing facility as defined in section 135C.1.
7. "Pharmacy" means a pharmacy as defined in section 155A.3.
8. "Prescription drug" means the same as defined in section 155A.3, and includes cancer drugs and anti-rejection drugs, but does not include controlled substances.
9. "Supplies" means the supplies necessary to administer the prescription drugs donated.